

IN THE CLAIMS

1. A method for operating a temperature controlled device, said method comprising the steps of:

detecting a human presence status; [and]

controlling [a temperature of] the temperature controlled device at a first temperature [based upon] when the detected status is human present; and

controlling the temperature controlled device at a second temperature when the detected status is human absent.

6. A method according to Claim 1 [wherein said step of controlling a temperature comprises the steps of] further comprising:

specifying a first temperature of the temperature controlled device comprising a cooling device when the detected status is human present; and

specifying a second temperature of the temperature controlled device when the detected status is human absent, the second temperature higher than the first temperature.

7. A method according to Claim 1 [wherein said step of controlling a temperature comprises the steps of] further comprising:

specifying a first temperature of the temperature controlled device comprising a cooling device when the detected status is human present; and

specifying a second temperature of the temperature controlled device after detecting a human absent status for a predetermined period of time, the second temperature higher than the first temperature.

10. A method [according to Claim 1 wherein said step of controlling a temperature comprises the steps of] for operating a temperature controlled device, said method comprising the steps of:

[specifying a temperature of] controlling the temperature controlled device comprising a heating device at a first temperature when the detected status is human present; and

turning off the temperature controlled device when the detected status is human absent.

11. A method according to Claim [1]10 wherein said step of controlling [a temperature]the temperature control device comprises the steps of:

specifying a first temperature of the temperature controlled device when the detected status is human present; and

turning off the temperature controlled device after detecting a human absent status for a predetermined period of time.

12. A method according to Claim 1 [wherein said step of controlling a temperature comprises the steps of]further comprising:

specifying a first temperature of the temperature controlled device [comprising a heating device] when the detected status is human present; and

specifying a second temperature of the temperature controlled device when the detected status is human absent, the second temperature lower than the first temperature.

13. (once amended) A method according to Claim [1]10 wherein said step of [controlling a temperature comprises the steps of:

specifying a first temperature of the temperature controlled device comprising a heating device when the detected status is human present; and]

turning off comprises turning off the temperature controlled device after detecting a human absent status for a predetermined period of time.

19. (once amended) A control unit for control of a [temperature controlled]heating device, said control unit comprising a human detector.

Respectfully Submitted,



Thomas M. Fisher, Reg. No. 47,564
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070

IN THE CLAIMS

Sub D 3

1. (once amended) A method for operating a temperature controlled device, said method comprising the steps of:

detecting a human presence status;

controlling the temperature controlled device at a first temperature when the detected status is human present; and

controlling the temperature controlled device at a second temperature when the detected status is human absent.

6. (once amended) A method according to Claim 1 further comprising:

specifying a first temperature of the temperature controlled device comprising a cooling device when the detected status is human present; and

specifying a second temperature of the temperature controlled device when the detected status is human absent, the second temperature higher than the first temperature.

Bf

7. (once amended) A method according to Claim 1 further comprising:

specifying a first temperature of the temperature controlled device comprising a cooling device when the detected status is human present; and

specifying a second temperature of the temperature controlled device after detecting a human absent status for a predetermined period of time, the second temperature higher than the first temperature.

10. (once amended) A method for operating a temperature controlled device, said method comprising the steps of:

controlling the temperature controlled device comprising a heating device at a first temperature when the detected status is human present; and

turning off the temperature controlled device when the detected status is human absent.

subd 7
11. (once amended) A method according to Claim 10 wherein said step of controlling the temperature control device comprises the steps of:

specifying a first temperature of the temperature controlled device when the detected status is human present; and

turning off the temperature controlled device after detecting a human absent status for a predetermined period of time.

12. (once amended) A method according to Claim 1 further comprising:

specifying a first temperature of the temperature controlled device when the detected status is human present; and

specifying a second temperature of the temperature controlled device when the detected status is human absent, the second temperature lower than the first temperature.

13. (once amended) A method according to Claim 10 wherein said step of turning off comprises turning off the temperature controlled device after detecting a human absent status for a predetermined period of time.

B6
19. (once amended) A control unit for control of a heating device, said control unit comprising a human detector.

Remarks

The Office Action mailed December 5, 2002 has been carefully reviewed and the foregoing amendment has been made in consequence thereof. Submitted herewith is a Submission of Marked Up Paragraphs and Claims and a Request for Approval of Drawing Changes.

Claims 1-29 are now pending in this application. Claims 1, 2, 14, 15, and 18-21 stand rejected.

Reconsideration of the restriction requirement imposed under 35 U.S.C. § 121 is respectfully requested.

Also, Applicant elects, with traverse, the species directed toward a cooling device with a control unit and a non-integral motion detector, wherein a different set point is